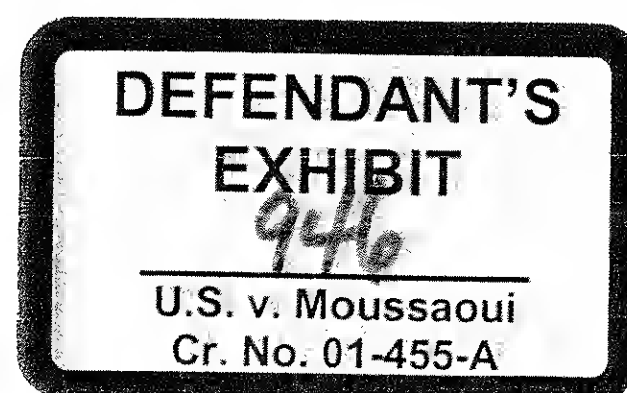


UNITED STATES v. MOUSSAOUI (NO. 01-455)
SUBSTITUTION FOR THE TESTIMONY OF
RIDUAN ISAMUDDIN ("HAMBALI")

Riduan Bin Isamudin, a.k.a. Hambali, was a member of Jemaah Islamiah ("JI"), a Southeast Asian terrorist organization whose goal was to establish a radical Islamist regime in that region. Hambali's role within JI was as operational leader for the Malaysia/Singapore region. He also was the key coordinator between JI and al Qaeda.

Because they shared a common goal in waging war against Christians and jews, JI and al Qaeda coordinated on many terrorist plans. For instance, JI and al Qaeda arranged for JI members to receive training in Afghanistan at al Qaeda's camps. Al-Qaeda and JI also shared resources, such as when JI would perform the necessary casing activities and locate bomb-making materials and other supplies and al Qaeda would underwrite the operations, provide bomb-making expertise, and deliver suicide operatives.

In the relationship between JI and al-Qaeda, Hambali played the critical role of coordinator, and saw to it that al Qaeda's financial and technical strengths were married with JI's access to materials and local operatives.



Hambali was captured in August 2003, and has been interrogated over the course of years on multiple occasions since his capture. None of the attorneys for either the prosecution or defense has been allowed access to Hambali, who is not available to testify either in person or by video for national security reasons. However, the lawyers have been given numerous written summaries of Hambali's oral statements made in response to extensive questioning.

Listed below are some of the statements Hambali made in response to questioning. You should assume that if Hambali were available to testify in this courtroom under oath and subject to perjury he would have said what is contained in these statements.

Although you do not have the ability to see the witness's demeanor as he testifies, you must approach these statements with the understanding that they were made under circumstances designed to elicit truthful statements from the witness. In evaluating the truthfulness of these statements, you should consider all other evidence in this case, including all exhibits, regardless of which side may have produced the exhibit, and all other witness testimony including summarized statements of other enemy combatant witnesses, that tends to either corroborate or contradict the accuracy of this witness's statements. It is solely up to the jury to decide how much, if any, of any witness's testimony to credit.

1. Hambali described Moussaoui as very troubled, not right in the head, and as having a bad character. In mid-2000, Moussaoui traveled to Panang Island, Malaysia, to meet with Hambali. Hambali believes that Moussaoui was sent by Muhammad Atif (a.k.a. Abu Hafs al Masri) or Khalid Sheikh Mohammed (“Sheikh Mohammed”) in part to meet him, but Moussaoui showed up unannounced and Hambali was then in Indonesia. Hambali was informed by JI operatives Yazid Suffaat and Samudra (a.k.a. Abu Omar) that Moussaoui showed up. Hambali went to Malaysia to meet Moussaoui and brought him to Kuala Lumpur. Hambali put Moussaoui up in Yazid’s condominium, which was often used to house guests.
2. Hambali learned that the purpose of Moussaoui’s visit was to enroll in flight school and take flying lessons. Moussaoui did not know why Khalid Sheikh Mohammed and Abu Hafs wanted him to take lessons. Moussaoui had not come to Asia specifically to meet with Hambali, but because Moussaoui had been sent by Abu Hafs or Khalid Sheikh Mohammed, Hambali and his fellow JI members believed it was their obligation to assist him in his mission. Yazid assisted Moussaoui in looking for flight schools and Hambali recalled seeing Moussaoui reading a flight school brochure, although he could not remember from which flight school. Moussaoui

talked often about taking flying lessons and told Hambali that he had dreams about flying a plane into the White House. Hambali believed that Moussaoui was not diligent about his mission, as he never actually enrolled in a flight school. In addition, flight schools were very expensive in Indonesia and he did not believe Moussaoui had any money, as he was always asking Hambali for money. Hambali said he had no intention of paying for Moussaoui's flight school unless Sheikh Mohammed or Abu Hafs specifically ordered him to do so.

3. Soon after arriving, Moussaoui told Yazid and Hambali that Khalid Sheikh Mohammed and Abu Hafs had instructed him to buy 40 tons of ammonium nitrate for a mission. He would not tell Yazid or Hambali what the mission was, but since the instructions came from Sheikh Mohammed or Abu Hafs, they believed they needed to assist Moussaoui. Hambali said they thought Moussaoui must have been mistaken as to the amount of ammonium nitrate needed, as 40 tons was a tremendous amount, and they did not have enough money to purchase that much. Instead, they purchased four tons, hoping that was the actual amount requested by Abu Hafs or Sheikh Mohammed. Yazid, Samudra, and Moussaoui purchased the ammonium nitrate for approximately 8,000 Malaysian Ringets (approximately \$1580 in July

2000). Hambali said he was not involved in the purchase and did not know the name of the company from which they bought it. They purchased the ammonium nitrate under the guise that it was for Yazid's lab, which the detainee thought was called the Green Lab.

4. Hambali said that even four tons of ammonium nitrate was a huge amount, and they were very concerned about where to store it. When Moussaoui left, his JI hosts were stuck with the ammonium nitrate and the bill.

Hambali said he, Yazid, and Samudra were puzzled and angered by this.

When they later asked Sheikh Mohammed what they should do with the ammonium nitrate, Sheikh Mohammed professed ignorance, and said he had never told Moussaoui to buy ammonium nitrate, let alone 40 tons of it.

5. Moussaoui was in Malaysia for a total of two or three weeks. He stayed in Kuala Lumpur for the entire time, with the exception of four or five days in Jakarta. Hambali was not sure what Moussaoui was doing in Jakarta, but he believes Moussaoui may have been researching flight schools there. Upon his return, Moussaoui commented that al Qaeda had no support there, although Hambali did not know on what Moussaoui based this observation.

6. According to Hambali, Moussaoui managed to annoy everyone he came in contact with. Hambali had many arguments with Moussaoui because he

was criticizing JI for sitting around and reading the Quran instead of conducting operations. He said Moussaoui was constantly suggesting operations which the rest of them thought were ridiculous, such as kidnaping local Chinese businessmen and holding them for ransom, and robbing motorists. Hambali told Moussaoui that if he wanted to do such things, he should do it in Europe, and not cause trouble in JI's neighborhood. He said Moussaoui constantly complained. Hambali spent very little time with Moussaoui alone; most of his conversations with Moussaoui were in a group setting. Hambali did not task Moussaoui with anything, as he did not trust him. He said Moussaoui had never mentioned any operations involving bio-weapons.

7. Before leaving Kuala Lumpur, Moussaoui asked Yazid for a letter of recommendation which would assist him in enrolling in a flight school in Europe. Yazid owned a Malaysian company called Infocus. Hambali said the company set up computer networks for offices and was not JI related. He did not have further details about the company. Yazid provided a letter of recommendation, written on Infocus stationery, saying that Moussaoui worked for the company. According to Hambali, Yazid gave him the letter in large part because they were all hoping he would go to Europe to enroll

in flight school and become someone else's problem.

8. When it came time to go, Moussaoui had no money, so Hambali paid him approximately \$2000 for a ticket to Europe, possibly Holland or London. Hambali acknowledged that he was frugal with money, but he willingly paid the ticket, as he was happy to be rid of Moussaoui.
9. After Moussaoui left, JI operative Mukhlas (a.k.a. Ali Ghuftron) went to Pakistan to see Sheikh Mohammed. Hambali and Yazid used this opportunity to have Mukhlas complain to Sheikh Mohammed about Moussaoui. Sheikh Mohammed agreed that there was something wrong with Moussaoui, and he reimbursed JI for Moussaoui's plane ticket and the ammonium nitrate.
10. Hambali said that Yazid did speak about Moussaoui after Moussaoui's arrest following the 9/11 attacks. . . . Hambali said Yazid was surprised Moussaoui was arrested and was concerned for his own safety because Yazid said Moussaoui had a letter from Yazid written on stationery with the letterhead of Yazid's company.
11. Hambali had no plans to smuggle the fertilizer to Singapore and he does not know what happened to it.